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IT IS SO ORDERED.

Dated: May 13, 2019



ALAN M. KOSCHIK
U.S. Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: FIRSTENERGY SOLUTIONS CORP., <i>et al.</i> , ¹ Debtors	Case No. 18-50757-AMK Chapter 11 Honorable Alan M. Koschik
FIRSTENERGY SOLUTIONS CORP., Plaintiff, v. BLUESTONE ENERGY SALES CORP., Defendant.	Adversary Proceeding 18-5100

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: FE Aircraft Leasing Corp. (9245), case no. 18-50759; FirstEnergy Generation, LLC (0561), case no. 18-50762; FirstEnergy Generation Mansfield Unit 1 Corp. (5914), case no. 18-50763; FirstEnergy Nuclear Generation, LLC (6394), case no. 18-50760; FirstEnergy Nuclear Operating Company (1483), case no. 18-50761; FirstEnergy Solutions Corp. (0186); and Norton Energy Storage L.L.C. (6928), case no. 18-50764. The Debtors' address is: 341 White Pond Dr., Akron, OH 44320.

ORDER

On December 13, 2018, Plaintiff FirstEnergy Solutions Corp. (“FES”) filed the Complaint in the above-captioned matter (Dkt. No. 1), alleging the following claims against Bluestone Energy Sales Corp. (“Bluestone”): (i) turnover pursuant to 11 U.S.C. § 542; and (ii) breach of contract. On January 28, 2019, Bluestone filed *Defendant’s Motion to Dismiss Count I of the Adversary Complaint* (the “Motion to Dismiss”) (Dkt. No. 7), seeking to dismiss FES’s turnover claim. Bluestone did not move to dismiss FES’s claim for breach of contract. On January 30, 2019, the Court held a status conference regarding the case, and on February 4, 2019, the Court entered a scheduling order setting a briefing schedule for the Motion to Dismiss, among other things (Dkt. No. 8). On February 21, 2019, FES filed its *Opposition to Defendant’s Motion to Dismiss Count I of the Adversary Complaint* (Dkt. No. 9). On March 7, 2019, Bluestone filed its *Reply Memorandum in Support of Defendant’s Motion to Dismiss Count I of the Adversary Complaint* (Dkt. No. 11). On May 3, 2019, the Court heard oral argument on the Motion to Dismiss (the “Hearing”). The Court finds that the Motion to Dismiss is ripe for adjudication, and

IT IS HEREBY ORDERED THAT:

1. For the reasons stated on the record at the Hearing, Bluestone’s Motion to Dismiss Count I of the Adversary Complaint is DENIED.
2. Bluestone shall answer the complaint within 14 days of the date of this order.
3. The parties shall attend a telephonic initial pretrial conference with the Court on **June 4, 2019, at 10:00 a.m.**, prevailing Eastern time.

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SUBMITTED BY:

/s/ Kate M. Bradley

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